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Laudo manentem; si celeres quatit  
pennas, resigno quae dedit—  
then he thought of the egotism of  
et mea

virtute me involvo—  
So he went on, leaving out that phrase and not breaking  
the metrical form,

probamque  
pauperiem sine dote quaero.

Once again, years afterwards, Canning in the House  
started to quote *Laudo manentem*, but then, remembering  
Pitt, he shifted at once to Dryden:

I can enjoy her while she's kind;  
But when she dances in the wind,  
And shakes her wings and will not stay,  
I puff the prostitute away.

I think the real reason why Englishmen will face facts  
better than we do is their more widely diffused classical  
training.

c. k.

### THE CONSERVATION OF NATURAL RESOURCES IN THE ROMAN REPUBLIC<sup>1</sup>

Some years ago a case came up to the Supreme Court of the United States against a man who had turned out his cattle to graze in a forest reserve. In commenting on the decision against the defendant, a prominent newspaper remarked that this decision disposed of "that curious notion that the United States of America own lands for the sake of giving free pasture to any cattle-owners or sheep-owners who happen along".

Let us imagine that this case was being tried by a praetor of the Roman people, that the forest reserve was part of the Roman *ager publicus*, that the defendant was a Roman noble who had not merely allowed his cattle to graze occasionally on the public domain, but did so with such regularity that he came to regard the use, or even the ownership of the land as his right. We see at once that a certain resemblance exists between their conservation problem and ours.

The problem of conservation now is, how, for the benefit of posterity, as well as ourselves, to prevent monopoly. In Rome, it was for the benefit of the non-noble classes, to prevent monopoly. It will be seen that some of the most vexing phases of our problem were unknown: the Romans did not have to contend, for example, with the matter of state versus federal control. Their problem, considered in the narrower way, would have been solved by means comparable to our homestead laws; broadly viewed, it is part of the endless struggle between the public and the private interests. On the nice balance between our rights and those of posterity, the Romans can give us little help. Only rarely does any concern for the future appear in their debates.

The question of Roman treatment of this problem is not easy to answer. The historian of our problem will have the writings of Mr. Roosevelt, Mr. Pinchot, and others, but he will also have the speeches of Mr. Humphrey, editorials in western journals, and other

documents of the opposition. In our record of Rome there are many gaps which we must fill as best we can.

At Rome the problem of the disposition of public land began with the earliest extension of territory. Under the monarchy there seems to have been no serious trouble. The king had sufficiently at heart the interests of rich and poor alike, so that the latter were doubtless well looked after. The ownership of land in all probability had little political significance before the adoption of the Servian constitution.

After the expulsion of the kings the question soon became important. As early as 486 B.C., we find Sp. Cassius proposing to assign certain conquered territories to the plebeians and the Latins (Livy 2.41). Included with the conquered territory were lands really public, according to Cassius, but held by private individuals. To the senator who occupied, even illegally, public land, this measure closely resembled confiscation. Have we not heard in our time similar complaints from persons interested in Alaskan coal lands? Hence came the dismal prophecy that Cassius was seeking royal power. The charge that was to be heard so often later was uttered by the other consul Virginius. Support came to him from another quarter. Cassius's proposal was to make the Latins sharers in the land. Only two-thirds of the territory of the conquered Hernici was to be taken, and of that half was to go to the Latin allies. Virginius shrewdly used this to work on that curious selfish patriotism of the Romans: was this not an obvious bid on Cassius's part for the help of the Latins in his attempt at kingship? The wealth of our Indian tribes, and the care exercised over them by the government has always aroused a certain amount of jealousy. Only a miracle could make possible a Social War with the Indians, but the difference is one of degree rather than of kind. The resentment against Cassius lasted long enough to insure his death, but revivals of the agrarian laws were frequent, and to the end of the Republic were sure provokers of dissension. Tribunes used such laws to strengthen their power, and, following the suggestion of an Appius Claudius (Livy 2.44.2 ff.), the nobles were always able to find other tribunes to interpose the veto, until the climax was reached in the half-ludicrous, half-disgraceful bartering of the younger Gracchus and Drusus. As in our own time, administrative disagreement prevented the adoption of a sound policy. In 456 the Lex Icilia distributed the public land on the Aventine, and this was followed by other similar special laws. It is clear that such matters were regarded as legislative and not as executive functions.

The events I have briefly related presuppose injustice and complaint. We can not see with the clearness we wish all the details. We can not fully understand the feelings of the Roman plebeians. Our ancestors, and some of our feminine contemporaries, have raised the cry of 'no taxation without representation', but not even these, probably, can realize the importance of land-holding to the Roman. We all know the exalted

<sup>1</sup>This paper was read at the Eighth Annual Meeting of The Classical Association of the Atlantic States, at Barnard College, April 17, 1914.

position agriculture enjoyed in Roman estimation. Probably there was something of that land-hunger which has played so large a part in the development of our country. Even greater was the political importance of land-holding. It was the condition of effective citizenship under the Servian constitution. We must admit, too, that it was in large measure a political issue: 'the people preferred clamoring for land in Rome to receiving it elsewhere' is Livy's almost Tacitean comment (3.1.7).

Various methods of disposing of the public land seem to have been in use. Sometimes colonists were sent out, and these were of great service to the state at many times. The colonies were, however, more military than agricultural in purpose. In some cases the land seems to have given outright:

They gave him of the corn-land  
That was of public right,  
As much as two strong oxen  
Could plow from morn to night;

and this is confirmed by Livy's account (2.10.12). In other cases, where the land had been laid waste and the state lacked time to make a regular allotment, the Romans allowed the cultivation of the land by anyone who would pay a certain fixed rental (Appian B.C. 1.7). This was doubtless a temporary device, but gradually those who occupied land under this arrangement came to regard it as their own, and, from later times at least, there is reason to believe that title was thought to be in the holder. At any rate, such land was transferred and improved like private property, though the right of the State to take back the land was frequently claimed, and sometimes used. Such an arrangement, carried out to the letter, involves no injustice to any one if the land is assigned fairly. But here was the trouble. The boards that divided the land were patrician, and probably not above favoring their own order. The wealthy purchased tracts adjoining those they already held. Violence caused the vacation of some lands, as 'nesters' in Texas are said to have been driven off by cattle men. Then, too, with the privilege of land-holding went the privilege of serving in the army, and this service fell heavily on the poor farmer, who could not cultivate his land and fight too. The growth of slave labor was another blow to the poor free laborer, and later the war with Hannibal and competition with the provinces completed the ruin of agriculture.

The conflict went on for more than a century after the establishment of the Republic. Despite the special laws, the economic troubles grew worse. The decade from 377 to 367 B.C. was a critical period. The tribunes Licinius and Sextius held office continuously, put into effect the *iustitium*, and refused to allow the electoral comitia to meet. The college of tribunes was at first divided, but finally the tribunes were able to put through the legislation that bears their names. We see how inextricably interwoven were political and economic considerations. Among the more certain provisions of the law was a clause restoring the consuls,

and demanding that at least one should be a plebeian, and another limiting the amount of public land that any one might hold. Livy's chapters (6.35 ff.) give a graphic account of the long struggle. I can not refrain from quoting from a speech put into the mouth of App. Claudius Crassus (6.41.10-11):

Sextius et Licinius tamquam Romulus ac Tatius in urbe Romana regnent, quia pecunias alienas, quia agros dono dant. Tanta dulcedo est ex alienis fortunis praedandi, nec in mentem venit altera lege solitudines vastas fieri pellendo finibus dominos, altera fidem abrogari, cum qua omnis humana societas tollitur.

Let me put beside this extracts from a more recent speech (by Representative Humphrey of Washington, June 2, 1913: see pages 11, 9 of the speech):

. . . the splendid patriotism of these disinterested gentlemen stands forth in all its sublime unselfishness. The railroad interests and those interested in the forest products of this country have furnished the brains and the money, except what money has been taken from the United States Treasury by the Forest Service, that have made conservation what it is in the Pacific Northwest today, and these gentlemen have reaped their reward. . . . Added to these were many political demagogues, who used it to personal advantage. . . . In other words, speaking in round numbers, there are 25,000 square miles in the State of Washington withdrawn from settlement, withdrawn from taxation, blocking the development of that State.

I claim as much authority for the statements of Appian as I do for those of Mr. Humphrey: I am not now interested primarily in their truth. Both of them suggest that the conservationists are being generous with the property of others; both show the effect of the policy of keeping land vacant; both state that the conservationist was working for his own advantage. But behind the words of Claudius there is no indication of the sinister influence of the 'interests'.

The enforcement of the Licinian Laws was lax, but there must have been a grim satisfaction among the nobles when Licinius was convicted (by another plebeian, be it noted) of breaking his own law (Livy 7.16). One thinks of the unction with which Mr. Humphrey points out how profitable to the Santa Fé railroad was Mr. Paul Morton's enthusiasm for conservation (page 4). During the two centuries following, the state was too busy expanding to pay much attention to economic problems. During this period the monopoly of the public land by the rich was strengthened, and the *latifundia*, which, according to the elder Pliny (N. H. 18.35), did such harm; came into existence. Over the sporadic attempts at reform we need not stop here. Many agrarian laws were passed, mainly at the instance of the senate. The Lex Atilia (Livy 42.4) even included the Latins. Yet this apparent wisdom was political entirely—the senate was practically purchasing popular support.

This brings us to the time of the Gracchi. Italy had not yet recovered from the effects of the war with Hannibal. Great non-productive estates, worked by slaves, replaced the small farms. The opposite process

has gone on in our Western states, where the cattle-baron is being displaced by the dry farmer, and the great ranges are being cut up into small farms. It is doubtful if every cattle man could have shown perfect title to every acre over which his stock grazed. The freemen became professional soldiers or drifted to Rome to swell the number of the idle for whom Satan—this time aided by the politicians—finds employment.

The younger Gracchus tells us (Plutarch, *Ti. Gracchus* 8) how his brother, travelling through Etruria, found the land worked almost entirely by slaves of barbarian races. Doubtless other considerations affected him too, but, to one of Gracchus's temperament, this would have been enough. At any rate, whatever the reason, Gracchus took up the cause of the poor and was elected tribune, the main plank in his platform being the virtual reenactment of the Licinian Law governing the holding of public land. Naturally there was a great outcry. The rich who held some of the land protested. So did the Italian allies. We can not certainly separate their arguments. Beyond doubt many of the allies held public land in good faith. But the protests of the nobles were just as loud and vigorous. We can not be sure just how far these protests were genuine. Many innocent and excellent men have invested money in Alaska and have lost it through governmental action. They are serious in their opposition to conservation as at present practised. Probably there are others who are less sincere. The situation was just the same then.

My account of what follows is derived partly from Appian (*B. C.* 1.9 ff.) and partly from Plutarch (*Ti. Gracchus* 9 ff.). They do not agree entirely, but between them we get a fairly complete and consistent narrative. We hear the cry of confiscation. Not merely the price of the land, but the value of the improvements also, it was argued, would be lost. The argument of confiscation is of course very popular, with railroads to-day. Some were prevented from giving up their lands by their obligations to the graves of their ancestors. This can be paralleled easily from fiction, if not elsewhere. Money had been borrowed on the security of the land: should the lender have to lose too, though innocent of all wrong? But above the din of these arguments we hear the familiar cry of subversion of the government. Cassius, Manlius, Maelius, Licinius, and many more had heard it. We think of the fear felt by some that a dictatorship would result from Mr. Roosevelt's election in the last campaign.

In Appian's narrative we find emphasized Gracchus's arguments on the ground of public policy. It was not so much the saving of natural resources for coming generations as the restoration of the agricultural middle class that Gracchus aimed at. Yet in the long run the result would be the same. Plutarch, on the other hand, gives us some of Gracchus's rhetoric, and we may suspect that this had more effect on his audience. 'The wild beasts of Italy', he exclaimed, 'have their

dens, but the poor citizens who have won, by their bravery, these possessions for the State, have no place they can call their own'. It is easy to see how the people, already convinced that they were unjustly treated, would be affected by such a speech. And, quite naturally, this once more becomes a political issue, decided by political weapons. The old device was again put into operation. Another tribune, M. Octavius, interposed his veto. Then followed the *iustitium*, the heated arguments, the recall of Octavius and the passage of the bill in a modified form, the campaign of Gracchus for reelection and his murder. All this I have discussed elsewhere<sup>2</sup>, and need not consider here. One feature of Gracchus's law deserves comment. A commission was appointed to administer it—an ancient parallel to the Interstate Commerce Commission.

After the death of Tiberius his work went on as before. His commission was surrounded with difficulties. The senate refused to vote money for its expenses, as Congress has not allowed the Forest Service all the money it wishes. The *possessores* who were to be ousted demanded large indemnities—excessive indemnities, perhaps. Even to-day there is no surer way to increase the value of property than to suggest the possibility of selling it to the government. The boundary lines were in many cases indistinguishable, due to poor surveys, or to the lack of surveys; so, finally, the commission, composed of enthusiastic conservationists, put the burden of proof on the holder of land. Naturally, the commissioners soon became unpopular, as excessive zeal for conservation has rendered some of our public men unpopular in our Western states. So it came about that by degrees the work of the Gracchi was undone. We may well believe that, if Gaius had lived to see Thorius proposing the final bill of the series, he would have censured him as a traitor to 'my policies'.

We need not stop here to consider the agrarian laws of Saturninus; the colonizing schemes of Sulla; the proposed laws of Rullus defeated by Cicero, who, however, supported a similar law for Pompey's benefit a few years later; the wholesale colonization of Caesar, which provided for 100,000 persons (one wonders what became of the dispossessed Campanians); or the distribution of lands by the Second Triumvirate. It may be said that after Caesar's death private property was unsafe. *Possessio* had done its work: there were no public lands left. The corresponding point in our history would be the occupation of the last land open to settlement under the homestead or similar laws. Here it would mark the beginning of the transformation of an agricultural into an industrial nation. There it meant the expulsion of peaceful owners for the benefit of the soldiers. The centralization of land-holding went on, and in Nero's time six men owned half the province of Africa (Pliny *N. H.* 38.7).

<sup>2</sup>See my paper, A Note on the Tribunate of Ti. Gracchus, *The Classical Journal* 8.44-52.

The episodes I have related are, I believe, characteristic. Several points stand out. We notice, of course, the utter selfishness of the rich. The closest parallel to the appropriation of coal lands, water power sites, etc., is the creation of the *latifundia*, existing for private, not for public, profit, and using resources which, according to some, should belong to the people as a whole. On the other hand, the withdrawal of these large areas from cultivation finds its closest analogue in the creation of forest reserves and national parks—the things on which the conservationist most prides himself. Of the industrial aspects of conservation the Roman was happily ignorant. Most important of all, in my judgment, is the fact that the conservation problem was largely and increasingly political. Like the refusal of the tribunes to permit levies (Livy 3.53.5, etc.), the threat of agrarian laws was a political weapon, used for political effect, and treated as such by the aristocrats, who replied with the charge that the tribunes were trying to overthrow the government. The disagreement of tribunes shows the political character of the agitation; so does the willingness of the commons to accept bribes from the senate in the form of colonies (Livy 4.51.5). The commons were not much interested in the problem as an economic issue. It is true that apparently the Younger Gracchus and Caesar had little difficulty in securing colonists, but the 'back to the farm' sentiment was by no means universal. The surest way to discourage an attempt to redivide the public land was to suggest sharing it with the allies. How great a part politics played may be seen from the account of the siege of Veii (Livy 5.2.2 ff.), where the tribunes maintained that the siege was continued through the winter simply to keep the commons away from home. That conscience was a minor factor may be seen from the following narrative (Livy 3.71.3 ff.): Aricia and Ardea appealed to the Roman people to arbitrate a dispute as to a certain piece of land. An aged plebeian named Scaptius arose in the assembly and stated that the real owner had been Corioli, and that he in his youth had helped win it in war from that town. Thereupon, though, or because, the consuls and the senate objected, the assembly voted to keep the land itself.

Here, perhaps, is the most important lesson for us. Nothing could show more clearly than the Roman experience the danger of making of conservation an issue of party politics. There are some things in our favor. Our problem is more complex than was that of the Romans, but we do not have to deal with slavery. Our situation is not yet so desperate, individually, as was that of the Roman of the republic. Let us see that it does not become so. The area of our country is so vast that monopoly has so far been almost impossible. Fortunately, we have not seen the shameless exploitation of the provinces which was the reproach of the Roman Republic. The experience of the Romans may teach us at least the danger of a selfish and unconsidered policy of any kind. We may have to settle the

conservation problem by political methods, but we need not and should not make it a partisan issue. If we do, we shall be helping to draw the same lines that divided the parties in ancient Rome.

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### THE PHILADELPHIA SOCIETY FOR THE PROMOTION OF LIBERAL STUDIES<sup>1</sup>

The Philadelphia Society for the Promotion of Liberal Studies, which was organized on March 14 last, held its second gathering in the auditorium of the Houston Club, on the evening of Thursday, October 15. Over two hundred members and friends of the Society were present, and the membership was considerably increased; it numbers now nearly three hundred.

Professor Walter Dennison, of Swarthmore College, President of the society, presided and opened the meeting. He said in part:

This is the second meeting of the Society, and is the first of a series of meetings which we intend to hold this winter in the furtherance of the purposes of the Society. That purpose is to promote the liberal studies; and by liberal studies we mean not merely Greek and Latin, but all of the old-time subjects—mathematics, philosophy, history, modern languages, English, and the natural sciences. We are to make an earnest effort to prevent the encroachment of the so-called newer studies upon the field of the older ones, not because they are to be condemned as undesirable or as inferior, but because we believe that they do not offer an adequate substitute for the older studies in the training of the mind and intellect, however excellent they may be from some standpoints. We propose, therefore, to wage an aggressive fight for the extension of the influence of those studies, the liberal studies as they are denominated, by which many generations of men have been intellectually trained.

Dr. Talcott Williams, Director of the School of Journalism, Columbia University, delivered an eloquent and inspiring address of which the following is an abstract:

Twenty years ago I made, before the Association of Colleges and Preparatory Schools of the Middle States and Maryland, a plea for liberal studies in College entrance requirements. I spoke then as a newspaper man who believed these studies indispensable to a sound education. I speak now, still a newspaper man, upon the relation of these studies to the work of the journalist.

The central task of a School of Journalism is the training of the writer. There are many writers who are not journalists; there are some journalists who are not writers—they are rare. Some share in the divine gift of expressing adequately fact, argument, opinion in the written word is indispensable to the success of the journalist. No man has ever won supreme success in the calling without it. The question in the training of the journalist in the mind of the newspaper man is, whether writing can be taught at all except by the work of writing.

Much else the School of Journalism must do. It must give its students, as Mr. Joseph Pulitzer pointed out, a sound knowledge of the history of their own day.

<sup>1</sup>This account is condensed from a report in the Old Penn Weekly Review.